

## § 590.10

## 9 CFR Ch. III (1–1–00 Edition)

*Person* means any individual, partnership, corporation, association, or other business unit.

*Pesticide chemical, Food additive, Color additive, and Raw agricultural commodity* shall have the same meaning for purposes of this part as under the Federal Food, Drug, and Cosmetic Act.

*Plant* means any place of business where egg products are processed:

(a) *Exempted plant* means any plant where the Administrator has determined the facilities and operating procedures meet such standards as may be prescribed by this part, and where the eggs received or used in the manufacture of egg products contain no more restricted eggs than are allowed by the official standards of U.S. Consumer Grade B for shell eggs, and where an exemption has been granted.

(b) *Official plant* means any plant in which the plant facilities, methods of operation and sanitary procedures have been found suitable and adequate by the Administrator for the continuous inspection of egg products in accordance with this part and in which inspection service is carried on.

*Potable water* means water that has been approved by a State health authority or other agency or laboratory acceptable to the Administrator as safe for drinking and suitable for food processing.

*Processing* means manufacturing of egg products, including breaking eggs or filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing or drying, or packaging egg products at official plants.

*Producer-packer* means any producer who sorts eggs only from his own production and packs them into their various qualities.

*Quality* means the inherent properties of any product which determine its relative degree of excellence.

*Regional Director* means any employee of the Department in charge of inspection service in a designated geographical region.

*Regulations* means the provisions in this part.

*Regulatory inspector* means any employee of the U.S. Government, or State or local jurisdiction, who is authorized by the Secretary to make such

inspections as required in § 590.28 of these regulations.

*Sampling* means the act of taking samples of any product for inspection or analyses.

*Sanitize* means the application of a bactericidal treatment which is approved as being effective in destroying microorganisms, including pathogens.

*Secretary* means the Secretary of Agriculture or his delegate.

*Service* means the Agricultural Marketing Service (AMS) of the Department.

*Shell egg packer* (grading station) means any person engaged in the sorting of eggs from sources other than or in addition to his own production into their various qualities, either mechanically or by other means.

*Stabilization* means the subjection of any egg product to a desugaring process.

*State* means any State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and the District of Columbia.

*Ultimate consumer* means any household consumer, restaurant, institution, or any other party who has purchased or received shell eggs or egg products for consumption.

*United States* means the States.

*Washed ungraded eggs* means eggs which have been washed but not sized or segregated for quality.

*White or albumen* means, for the purpose of this part, the product obtained from the egg as broken from the shell and separated from the yolk.

[36 FR 9814, May 28, 1971, as amended at 37 FR 6657, Apr. 4, 1972; 40 FR 20057, May 8, 1975. Redesignated at 42 FR 32514, June 27, 1977, as amended at 43 FR 60138, Dec. 26, 1978. Redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 47 FR 46070, Oct. 15, 1982; 47 FR 54421, Dec. 3, 1982; 54 FR 37289, Sept. 8, 1989; 60 FR 49168, Sept. 21, 1995; 60 FR 58199, Nov. 27, 1995; 63 FR 45674, Aug. 27, 1998; 63 FR 69971, Dec. 17, 1998]

### ADMINISTRATION

#### § 590.10 Authority.

The Administrator shall perform, for and under the supervision of the Secretary, such duties as the Secretary may require in the enforcement or administration of the provisions of the Act, and this part. The Administrator

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may waive for a limited period any particular provisions of the regulations to permit experimentation so that new procedures, equipment, and processing techniques may be tested to facilitate definite improvements and at the same time to maintain full compliance with the spirit and intent of the regulations. The Agricultural Marketing Service and its officers and employees shall not be liable in damages through acts of commission or omission in the administration of this part.

[42 FR 2971, Jan. 14, 1977. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981]

### § 590.13 Federal and State cooperation.

The Secretary shall, whenever he determines that it would effectuate the purposes of the Act, authorize the Administrator to cooperate with appropriate State and other governmental agencies in carrying out any provisions of the Egg Products Inspection Act and these regulations. In carrying out the provisions of the Act and the regulations, the Secretary may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of any such agency commissioned by him for such purpose. The Secretary shall reimburse the States and other agencies for the services rendered by them in such cooperative programs as agreed to in the cooperative agreements as signed by the Administrator and the duly authorized agent of the State or other agency.

### § 590.17 Nondiscrimination.

The conduct of all services and the licensing of graders and inspectors under these regulations shall be accomplished without discrimination as to race, color, religion, sex, national origin, age, or disability.

[40 FR 20057, May 8, 1975. Redesignated at 42 FR 32514, June 27, 1977. Further redesignated at 46 FR 63203, Dec. 31, 1981, and amended at 60 FR 49169, Sept. 21, 1995]

### § 590.18 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned

to information collection requirements by the Office of Management and Budget contained in 7 CFR 590 pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511.

(b) *Display.*

| 7 CFR section where identified and described | Current OMB control number |
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